

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	) Confirmation No. 3047
Timo AILA et al.	)
Serial No. 10/757,547	) Examiner: Jason Michael Repko
Filed: 01/15/2004	) Group Art Unit: 2671
For: OCCLUSION CULLING METHOD	)
	) Date: January 25, 2007

**LETTER REQUESTING FORMAL WITHDRAWAL OF THE  
SUPPLEMENTAL AMENDMENT FILED ON DECEMBER 20, 2006**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the spirit of advancing the prosecution of the above-captioned application, Applicants notified Examiner Repko, in the paragraph spanning pages 5 to 6 of the Amendment After Final Rejection filed on November 7, 2006, of their desire to conduct an interview with the Examiner. This Amendment After Final Rejection was submitted along with a Request for Continued Examination (hereafter, "the RCE"). Shortly thereafter, the undersigned met with the Examiner at the USPTO on November 21, 2006. During the interview, the undersigned and Examiner Repko discussed the rejections pending at that time based on the Xie et al. patent (U.S. Patent No. 6,525,726). More particularly, the undersigned pointed out distinctions set forth in the then pending claims with respect to the Xie et al. patent. While Examiner Repko did not agree that the amended claims distinguished over the Xie et al. disclosure, in response to the undersigned's request, he suggested an amendment that would overcome the Xie et al. reference. Examiner Repko was informed that a supplemental response would be filed after the Applicants, who reside in Finland, were apprised of the suggested changes to the claims.

Subsequently, on December 20, 2006, Applicants submitted a Supplemental Amendment and Statement of the Substance of the Interview, in which Applicants adopted

the claim changes suggested by Examiner Repko. However, unknown to the Applicants, on December 19, 2006, the Examiner had issued a non-final Action which, among other things, withdrew the rejections based on the Xie et al. patent and set forth new rejections based on the Green et al., Fowler et al. and Schaufler et al. documents, already of record. It is not clear from the record why these new rejections were made at that time, especially in light of the amendments discussed during the interview, and the Examiner's reaction to Applicants' arguments presented in the responses of March 28, 2006, and October 10, 2006, and the Advisory Action dated October 31, 2006. Applicants can only assume that Examiner Repko had reconsidered the arguments and amendments filed with the RCE, which were discussed during the initial part of the interview, and found that the claims are neither anticipated by the Xie et al. patent, nor rendered obvious over Xie et al. and the Fowler patent (U.S. Patent No. 6,720,964). It is unfortunate Examiner Repko did not attempt to contact the undersigned of his decision to withdraw these rejections, knowing that a supplemental response was forthcoming.

In view of the proceedings described above, Applicants respectfully request withdrawal of the claim amendments submitted with the Supplemental Amendment and Statement of the Substance of the Interview dated December 20, 2006, and that Applicants be afforded the time remaining in the statutory reply period ending on **March 19, 2007**, to formally respond to the December 19, 2006, non-final Office Action.

Respectfully submitted,

/John F. Guay, Reg.# 47248/  
John F. Guay

Nixon Peabody LLP  
401 9<sup>th</sup> Street N.W.  
Suite 900  
Washington, D.C. 20004  
(202) 585-8298 (direct)